

DECLARATION and POWER OF ATTORNEY

(JOINT)

We, John West and Deng-ke Yang hereby declare that:

Our residence and post office addresses are, respectively:

5050 Fish Creek Road, Stow, Ohio 44224 and

826 Allerton Street, Kent, Ohio 44240.

We are, respectively, citizens of: the United States of America, United States of America and People's Republic of China.

We believe we are the original, first and joint inventors of the subject matter which is claimed and for which a patent is sought on the invention entitled MULTISTABLE CHIRAL NEMATIC DISPLAYS, the specification of which:

- 1) XXXXXX is attached hereto.
- 2) _____ was filed on _____ as Serial No. 0 / _____ and was amended on _____ (if applicable).
- 3) _____ was described and claimed in PCT International Application No. _____, filed on _____ and amended under PCT Article 19 on _____.

We hereby state that we have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

We acknowledge our duty to disclose to the Office information of which we are aware which is material to patentability. Such information is material to patentability when it is not cumulative to information already of record in the application, and (1) it establishes, by itself or in combination with other information, a prima facie case of unpatentability of a claim; or (2) it refutes, or is inconsistent with, a position the applicant takes in: (i) opposing an argument of unpatentability relied on by the Office, or (ii) asserting an argument of patentability as defined in Title 37, Code of Federal Regulations, §1.56.

We hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application for patent or inventor's certificate listed below and have also identified below any corresponding foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ (Yes)	_____ (No)
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	_____ (Yes)	_____ (No)

We hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty, as stated above, to disclose material information, as defined in Title 37, Code of Federal Regulations, §1.56, relating to events which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>07/969,093</u> (Application Serial No.)	<u>October 30, 1992</u> (Filing Date)	<u>Pending</u> (Status-patented, pending, abandoned)
<u>07/964,840</u> (Application Serial No.)	<u>May 2, 1991</u> (Filing Date)	<u>Pending</u> (Status-patented, pending, abandoned)

We hereby designate as our mailing address the office of:

WATTS, HOFFMANN, FISHER & HEINKE CO., L.P.A.
Suite 2850
100 Erieview Plaza
Cleveland, Ohio 44114-1824

And we hereby appoint each of the following attorneys, all of whom are associated with Watts, Hoffmann, Fisher & Heinke Co., L.P.A. (Telephone No. 216/623-0775), as attorney of record to prosecute this application and to transact all business in the Patent Office connected therewith: Thomas E. Fisher, Reg. No. 18,271; Lowell L. Heinke, Reg. No. 19,471; James G. Watterson, Reg. No. 20,180; Linn J. Raney, Reg. No. 23,078; Kevin J. Heyd, Reg. No. 26,061; John R. Hlavka, Reg. No. 29,076; Stephen J. Schultz, Reg. No. 29,108; James E. Barlow, Reg. No. 32,377; Richard A. Sharpe, Reg. No. 34,722 and Greg Strugalski, Reg. No. 32,311.

And we hereby appoint the foregoing Lowell L. Heinke, Reg. No. 19,471, principal attorney.

This appointment shall include all power to prosecute and transact all business relating to all applications corresponding to the referenced application in all countries, including all regional and international patent offices, such as, but not limited to, the European Patent Office and all offices and bureaus established in accordance with the Patent Cooperation Treaty.

We hereby further designate and appoint any officer of Watts, Hoffmann, Fisher & Heinke Co., L.P.A. our attorney in fact with full power of substitution and revocation, including power to designate a substitute principal attorney.

We hereby declare that all statements made herein of our own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under §1001 of Title 18 of the United States Code and that such willful false

statements may jeopardize the validity of this application or any patent issued thereon.

Full name of Inventor: John West

Inventor's signature: _____ Date: _____

Residence: Stow, Ohio

Citizenship: the United States

Post Office Address: 5050 Fish Creek Road
Stow, Ohio 44224

Full name of Inventor: Deng-Ke Yang

Inventor's signature: _____ Date: _____

Residence: Kent, Ohio

Citizenship: People's Republic of China

Post Office Address: 826 Allerton Street
Kent, Ohio 44240



08/057662

Attorney's Docket No. 12-199 C2
Applicant or Patentee: John West and Deng-ke Yang
Serial or Patent No.: Not Yet Assigned
Filed or Issued: Concurrently Herewith
For: MULTISTABLE CHIRAL NEMATIC DISPLAYS

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(b))—INDEPENDENT INVENTOR**

As a below named inventor, I hereby declare that I qualify as an independent inventor as defined in 37 CFR 1.9(c) for purposes of paying reduced fees under Section 41(a), and (b) of Title 35, United States Code, to the Patent and Trademark Office with regard to the invention entitled MULTISTABLE CHIRAL NEMATIC DISPLAYS

described in

- ☒ the specification filed herewith.
☐ application serial no. _____, filed _____
☐ patent no. _____, issued _____

I have not assigned, granted, conveyed or licensed and am under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.9(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

Each person, concern or organization to which I have assigned, granted, conveyed, or licensed or am under an obligation under contract or law to assign, grant, convey, or license any rights in the invention is listed below:

- ☐ no such person, concern, or organization
☒ persons, concerns or organizations listed below*

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention availing to their status as small entities. (37 CFR 1.27).

FULL NAME Kent State University
ADDRESS East Main & Lincoln Streets
Kent, Ohio 44242
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☒ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent; notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so

(Small Entity-Independent Inventor [7-1]—page 1 of 2)

made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

John West

Name of inventor

Signature of inventor

Date

Deng-ke Yang

Name of inventor

Signature of inventor

Date

Name of inventor

Signature of inventor

Date



Attorney's Docket No.

12-199 C2

Applicant or Patentee: John West et al.Serial or Patent No.: Not Yet AssignedFiled or Issued: Concurrently HerewithFor: MULTISTABLE CHIRAL NEMATIC DISPLAYS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9 (f) and 1.27(d))—NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION Kent State UniversityADDRESS OF ORGANIZATION East Main & Lincoln Streets
Kent, Ohio 44242

TYPE OF ORGANIZATION

- ☒ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
- ☐ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501 (a) and 501 (c)(3))
- ☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)
- ☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501 (a) and 501 (c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
- ☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(NAME OF STATE _____)
(CITATION OF STATUTE _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled

MULTISTABLE CHIRAL NEMATIC DISPLAYS

by inventor(s) John West, J. William Doane and Deng-ke Yang

described in

- ☒ the specification filed herewith
- ☐ application serial no. _____, filed _____
- ☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are

(Small Entity-Nonprofit [7-3]—page 1 of 2)

held by any person, other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

**NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).*

NAME _____
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

NAME _____
ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Eugene P. Wenninger
TITLE IN ORGANIZATION Dean, Research & Sponsored Programs
ADDRESS OF PERSON SIGNING East Main & Lincoln Streets
Kent, Ohio 44242

SIGNATURE _____ Date _____